



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P. (MD) No.15403 of 2016

S.Karumeniammal

... Petitioner

-vs-

1. The State of Tamil Nadu,
Rep. by the Principal Secretary to Government,
Home (Prison) Department,
T.N.Government Chief Secretariat,
St.George Fort, Chennai-600 009.

2. The Additional Director General of Police /
Inspector General of Prisons,
C.M.D.A.Towers II, No.1, Gandhi Irvin Road,
Egmore, Chennai-600 008.

3. The Deputy Inspector General of Prison,
Tirunelveli Range, Central Prison Campus,
Tirunelveli.

4. The Superintendent of Central Prison,
Palayamkottai Central Prison,
Palayamkottai, Tirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to grant leave 10 days i.e., 21.08.2016 to 30.08.2016 to the petitioner's sons, namely, Mari @ Mariappan and Kasivishvanathan, who are undergoing sentence as Life Convict in Central Prison, Palayamkottai to attend their father's 16th day funerary customs and other Hindu Customs and Rights.

For Petitioner : Mr.S.R.A.Ramachandran

For Respondents : Mr.D.Muruganandam,
Addl. Govt. Pleader

O R D E R

The writ petition has been filed, seeking to direct the respondents to grant leave 10 days i.e., 21.08.2016 to 30.08.2016 to the petitioner's sons, namely, Mari @ Mariappan and Kasivishvanathan, who are undergoing sentence as Life Convict in Central Prison, Palayamkottai to attend their father's 16th day



funerary customs and other Hindu Customs and Rights.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

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3. The case of the petitioner is that her husband died on 07.08.2016 on account of kidney failure; her sons were granted parole by this Court for one day on 08.08.2016 to attend their father's funeral ceremony; 16th day funerary customs is scheduled to be held on 21.08.2016 and the representation given to the 4th respondent for grant of parole to her sons has not been responded till date. Hence, the petitioner is before this Court seeking for the relief stated supra.

4. Learned Additional Government Pleader has produced the order of the 4th respondent dated 20.08.2016, wherein the request made by the petitioner for grant of parole to her sons has been rejected, on the ground that there is no provision under the Tamil Nadu Suspension of Sentence Rules, 1982 for grant of parole to a prisoner to attend the 16th funerary customs.

5. Perusal of Tamil Nadu Suspension of Sentence Rules, 1982 would go to show that there is every justification for the 4th respondent in passing the order of rejection, which does not call for any interference by this Court, as the order has been passed in accordance with the provisions of the Rules. Therefore, this Writ Petition is dismissed. No costs.

Sd/-

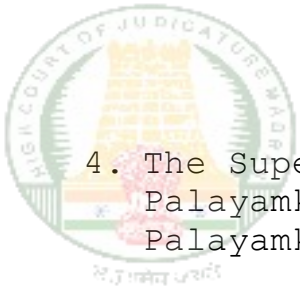
Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To:

1. The Principal Secretary to Government,
Home (Prison) Department,
T.N.Government Chief Secretariat,
St.George Fort, Chennai-600 009.
2. The Additional Director General of Police /
Inspector General of Prisons,
C.M.D.A.Towers II, No.1, Gandhi Irvin Road,
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3. The Deputy Inspector General of Prison,
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Tirunelveli.



4. The Superintendent of Central Prison,
Palayamkottai Central Prison,
Palayamkottai, Tirunelveli District.

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.46536

W.P. (MD) No.15403 of 2016
22.08.2016

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